IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.1529 of 1996

Between:

Khaja Asadulla Baig, S/o. Shah Noor Hamami,
R/o. H.No.32-26-114/A, Maruthinagar,
Vijayawada, Krishna District.

..... PETITIONER

AND

1 The Sub-Divisional Officer, Telecommunications,
Tanuku, West Godavari District.
2 The Accounts Officer, Telecommunications, O/o The Telecom District

Manager, Bhimavaram Unit, West Godavari District.
3 The Divisional Manager, Telecommunications, Telephone Bhavan,
Bhimavaram, West Godavari District.
4 The General Manager, Telecommunications, Suryalok Complex,
Gunfoundry, Hyderabad.
5 The Government of India Rep., by its Secretary, Ministry of

Telecommunications, New Delhi.
6 Sri T.SaiRam, Chief Accounts Officer-I, IFA,
O/o. G.M.Telecom, Vijayawada District.
(Writ Petition as against R2 to R6 dismissed for default as per court

order dt.22.3.2000)

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing excess bills for the telephone of the petitioner bearing no. 2582 situated at Tanuku, West Godavari District bearing dated 1.6.91, 1.8.1991, 1.10.91 and 1.12.1991 and in not taking any action on the complaint submitted by the petitioner dated 12.11.1991 etc., as illegal,

arbitrary and unconstitutional apart from being violative of principles of natural justice and consequently declare the Award of the 6th Respondent bearing No.CAO-I/VJ/ARB/Tnk-2582/95 dated 4.1.96 as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and against the procedure laid down and against the judgment of this Hon'ble Court reported in ALT 3 (1994) 536 and consequently set aside the demand note issued by the 2nd Respondent bearing No. TRA/BMV/TKU-2582/Del/91-92/32, dated 24.1.96 and direct the Respondents 1 to 5 to reimburse the excess amounts paid by the petitioner and pass such other order or orders as the Hon'ble Court deems fit, proper and appropriate in the circumstances of the case.

Counsel for the Petitioner: MR.NANDIGAM KRISHANA RAO

Counsel for the Respondents: MR.D.KRISHNA MURTHY

The Court made the following :

ORDER:

Learned counsel for the petitioner submits that the subject matter of the writ petition has become infructuous.

Recording the same, the Writ Petition is dismissed as having become infructuous. No costs.

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(N.V. RAMANA, J)

Date: 05.11.2004

Nsr

To

1 The Sub-Divisional Officer, Telecommunications,
Tanuku, West Godavari District.
2 The Accounts Officer, Telecommunications, O/o The Telecom District

Manager, Bhimavaram Unit, West Godavari District.
3 The Divisional Manager, Telecommunications, Telephone Bhavan,
Bhimavaram, West Godavari District.
4 The General Manager, Telecommunications, Suryalok Complex,
Gunfoundry, Hyderabad.
5 The Secretary, Government of India, Ministry of

Telecommunications, New Delhi.
6 Sri T.SaiRam, Chief Accounts Officer-I, IFA,
O/o. G.M.Telecom, Vijayawada District.
7 Two CD copies.